

Application No. 09/994,458
Amendment Dated 8/23/05
Reply to Office Action of 5/23/05

REMARKS

This Amendment is submitted in response to the Office Action mailed on May 23, 2005. Claims 15 and 26 have been amended and claims 15-19, 26-28 and 38-40 remain pending in the present application. Claims 41-49 stand withdrawn pursuant to a restriction requirement raised by Examiner. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

Claims 15, 18-19, 26-28 and 38-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kalra et al., U.S. Patent No. 5,948,359 in view of Levine et al., U.S. Patent No. 5,854,075 and newly cited Wolf et al., U.S. Patent No. 4,793,491. Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kalra et al. in view of Levine et al. and Wolf et al. and further in view of Tseung et al., U.S. Patent No. 6,746,851. Lastly, claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kalra et al. in view of Levine et al. and Wolf et al. and further in view of Rhett et al., U.S. Patent No. 5,839,091. While Applicants respectfully traverse these rejections, Applicants have amended each of independent claims 15 and 26 to more sharply define the present invention over the prior art of record and respectfully request that the rejections be withdrawn.

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In particular, Applicants have amended each of independent claims 15 and 26 to recite that the base wall of each container has a plurality of distinct inwardly and downwardly converging wall sections that define a concave well with a nadir at a convergence of the wall sections. Support for this amendment is provided at Page 14, lines 1-18 and in Figs. 6, 6A and 7, for example.

In contrast, the newly cited Wolf et al. reference is directed to a pressurized chemical shipping vessel having a slight concave well (42) on the middle of the bottom of the inner surface of the fluid container (20) to accommodate the tubular ducting (24) of the fluid delivery insert assembly (see Col. 3, lines 42-48). As Examiner will note, the fluid container of Wolf et al. is generally cylindrical in shape and has a continuous radiused bottom wall in which the concave well (42) is formed. Applicants respectfully submit that neither the continuous radiused bottom wall or concave well of Wolf et al. includes a plurality of distinct inwardly and downwardly converging wall sections that define a concave well with a nadir at a convergence of the wall sections as recited in each of independent claims 15 and 26. Rather, the concave well (42) of Wolf et al. appears to be a "cup-shaped" depression formed in the bottom wall of the fluid container (20).

Consequently, Applicants respectfully submit that Wolf et al. taken alone, or in combination with the other prior art of record, fails to teach or suggest the combination of elements or steps recited in each of independent claims 15 and 26 and

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the rejections of these claims should be withdrawn. Moreover, as claims 16-19, 27, 28 and 38-40 depend from allowable independent claims 15 and 26, and as each of these claims recites a combination of elements or steps not taught or suggested by the prior art of record, Applicants respectfully submit that these claims are allowable as well.

Conclusion

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

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Respectfully submitted,

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